

**IN THE UNITED STATES DISTRICT COURT
FOR THE MIDDLE DISTRICT OF TENNESSEE
NASHVILLE DIVISION**

REPORT AND RECOMMENDATION

On January 14, 2013, the undersigned entered an Order granting Defendant’s “Motion for Order to Show Cause Why This Complaint Should Not be Dismissed, Pursuant to Rule 41(b), Federal Rules of Civil Procedure.” Docket No. 21. The Order noted that Plaintiff had failed to comply with a prior Court Order requiring her to file a Motion for Judgment on the Administrative Record within thirty(30) days of September 16, 2013. *Id.* The Order provided in relevant part:

As of the date of the entry of the instant Order, Plaintiff has not filed her Motion for Judgment on the Administrative Record, nor has Plaintiff filed a Response to the instant Motion.

On or before February 5, 2014, Plaintiff shall file a Response to the instant Order showing why this action should not be dismissed for failure to prosecute pursuant to Fed. R. Civ. P. 41(b).

Id.

Plaintiff, who is proceeding pro se, did not comply with the Court's January 14, 2014 Order. Instead, on February 12, 2014, Plaintiff filed a document headed "Social Security," the

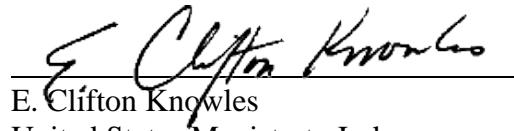
body of which states in full as follows:

I was unable to secure legal counsel. In addition I have started a new case from the beginning.

Docket No. 24.

Plaintiff's filing does not comply with the Court's January 14 Order. Therefore, the undersigned recommends that this action be dismissed for failure to prosecute pursuant to Fed. R. Civ. P. 41(b).

Under Rule 72(b) of the Federal Rules of Civil Procedure, any party has fourteen (14) days after service of this Report and Recommendation in which to file any written objections to this Recommendation with the District Court. Any party opposing said objections shall have fourteen (14) days after service of any objections filed to this Report in which to file any response to said objections. Failure to file specific objections within fourteen (14) days of service of this Report and Recommendation can constitute a waiver of further appeal of this Recommendation. *See Thomas v. Arn*, 474 U.S. 140, 106 S.Ct. 466, 88 L. Ed. 2d 435 (1985), *reh'g denied*, 474 U.S. 1111 (1986); 28 U.S.C. § 636(b)(1); Fed. R. Civ. P. 72.



E. Clifton Knowles
United States Magistrate Judge